

SECOND REGULAR SESSION

HOUSE BILL NO. 2016

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLY (27).

Read 1st time February 21, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4817L.01I

AN ACT

To repeal section 217.305, RSMo, and to enact in lieu thereof one new section relating to information required for delivery of prisoners.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 217.305, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 217.305, to read as follows:

217.305. 1. The sheriff or other officer charged with the delivery of persons committed to the department for confinement in a correctional center shall deliver the person to the reception and diagnostic center designated by the director at times and dates as designated by the director and shall receive a certificate of delivery of the offender from the center.

2. Appropriate information relating to the offender shall be provided to the department in a written or electronic format, at or before the time the offender is delivered to the department, including, but not limited to:

(1) A **certified** copy of the sentence [received] from the clerk of the sentencing court[. If provided in written form, this document shall be certified by the court] **on the standardized form developed by the office of state courts administrator. Such form shall include specifics on any statutes violated, court ordered probation not supervised by the department, the offense cycle number, and any court-ordered restitution owed to the victim;**

(2) [All other judgment, sentencing and commitment orders of the court, or such documents as authorized by the prosecuting attorney or circuit attorney or required by the department;

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 (3) Further] Information **provided in writing by the prosecutor** regarding the offender's
18 age, crime for which sentenced [and], circumstances surrounding the crime and sentence, **names**
19 **and last know address of victims, victim impact statements, and** personal history, which may
20 include facts related to [his] **the offender's** home environment, **or** work habits, **gang**
21 **affiliations, if any,** and previous convictions and commitments. Such information shall be
22 prepared by the prosecuting attorney of the county or circuit attorney of any city not within a
23 county who was charged with the offender's prosecution;

24 **(3) Information provided by the sheriff or other officer charged with the delivery**
25 **of persons committed to the department regarding the offender's physical and mental**
26 **health while in jail. All records on medication, care, and treatment provided to the**
27 **offender while in jail shall be provided to the department prior to or upon delivery of the**
28 **offender. If the offender has had no physical or mental health care or medications while**
29 **in jail, the sheriff or other officer shall certify that no physical or mental health care or**
30 **medication records are available. The sheriff shall provide certification of all applicable**
31 **jail time credit.**

32 **3. The department may refuse to accept any offender who is delivered for**
33 **confinement without all required information.**